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Docket No.

600950-1010

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Bradley F. Chmelka, et al.

Application No.

10/736,462

Filing Date

December 15, 2003

Examiner

Group Art Unit

1724

Invention: **BLOCK POLYMER PROCESSING FOR MESOSTRUCTURED INORGANIC OXIDE MATERIALS****FAX RECEIVED**

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**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
600950-1010

In Re Application Of: **Bradley F. Chmelka, et al.**

Application No. 10/736,462	Filing Date December 15, 2003	Examiner	Customer No. 38406	Group Art Unit 1724	Confirmation No. 3479
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Title: **BLOCK POLYMER PROCESSING FOR MESOSTRUCTURED INORGANIC OXIDE MATERIALS**

COMMISSIONER FOR PATENTS:

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Dated:

Jan. 16, 2006

**Michael A. O'Neill, P.C.
5949 Sherry Lane, Suite 850
Dallas, TX 75225**

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600950-1010

OFFICE OF PETITIONS PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Bradley F. Chmelka, et. al.

Customer No. 38406

Serial No.: 10/736,462

Confirmation No. 3479

Filing Date: December 15, 2003

Group No.: 1724

For: BLOCK POLYMER PROCESSING FOR MESOSTRUCTURED
INORGANIC OXIDE MATERIALS

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PETITION TO CORRECT FILING DATE

The Notice to File Missing Parts of a Nonprovisional Application mailed March 24, 2004 indicated that the filing date of December 15, 2003 was granted. However, in addition to requiring submission of the oath or declaration, the Notice further indicated that Figure 2 had been omitted from the application. Applicant responded by submitting the missing Figures 2a and 2b along with a properly signed declaration. Upon receipt of the missing drawing, the filing date was reassigned to April 5, 2004, the date on which the Patent Office received the missing drawing.

Responsive to the reassignment of the filing date, Applicant filed a first Petition to Correct Filing Date on October 25, 2005 requesting that the filing date be reassigned and that Figures 2a and 2b be entered into the record. The Decision on Petition, issued on November 18, 2005, denied that request, and asserted that Applicant could either 1) have Figures 2a and 2b entered into the record

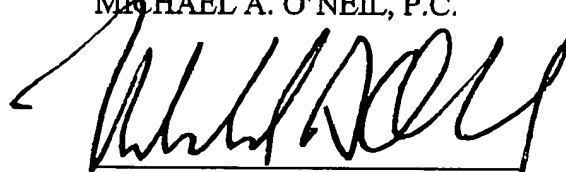

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and accept the later filing date of April 5, 2004, or 2) receive the earlier filing date of December 15, 2003 and neither Figures 2a nor 2b would be entered into the record.

Thus, Applicant now requests that Figures 2a and 2b be not be entered into the record in order that Applicant may receive the original filing of December 15, 2003, and respectfully requests a refund of the enclosed petition fee of \$ 400.00.

Respectfully submitted,

MICHAEL A. O'NEIL, P.C.


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